

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Labor Pains: Frontier-CWA and DISH-NLRB Make Some Headway

Labor Day is nearly here, but any employer will tell you that labor relations is a year-long affair. **Amazon's** been in the headlines lately for employee unionization efforts. **Starbucks** has drawn allegations of attempting to tamp down union efforts. Less publicized is a development in **DISH's** ongoing dispute with the **National Labor Relations Board** over mandatory arbitration that indicates the two are close to a deal. And on Thursday, **Frontier** workers in California returned to the job after a strike over subcontractor policies with **Communications Workers of America** claiming a "big" win.

Last Friday, an estimated 2,000 Frontier employees in California went on strike, returning after the telecom provider agreed to limit its practice of subcontracting work. CWA said Thursday that members won an agreement in which Frontier has agreed to post job requisitions for at least 100 Term Cable Splicer positions; meet regularly with CWA on the status of the postings; offer union jobs in lieu of contract workers; and utilize the existing referral program for union members to assist the company in procuring qualified applicants.

Frontier and CWA's tango isn't over, however, as the two are still negotiating a new contract. And CWA said Thursday that it has launched a half-million dollar [ad campaign](#) focused on Frontier's "increasing and dangerous" use of subcontracting companies. The campaign was announced at a press conference in Hartford, Connecticut, Frontier's home state of opera-

tions. Ads are running on local TV, radio and digital platforms across Connecticut, California and Texas. Frontier didn't immediately respond to a request for comment.

Meanwhile, DISH may soon be able to close its long-running NLRB challenge. In March 2021, a three-member NLRB panel found DISH's requirement that employees submit any claim or dispute to mandatory arbitration unlawfully restricted employees' right to bring unfair labor practices to the Board. DISH filed a petition for review of the order in the U.S. Court of Appeals for the Fifth Circuit on April 14, 2021, with NLRB filing a cross-application for enforcement on May 11, 2021.

"While the appeals have been pending, the parties have worked toward settlement and believe that there are limited matters remaining to be resolved," DISH and NLRB told the federal appeals court Tuesday. At the parties' request, the court issued a motion that gives them a 180-day timeframe to reach a settlement. If they fail to reach a deal, they can promptly move for reinstatement of their appeals or an extension of the shot clock. If they reach a settlement, they can move for full dismissal.

It's noteworthy that NLRB's DISH March 2021 decision came from a Republican-appointed majority, with the board's lone Democrat issuing a dissent that said the board largely upheld a broad confidentiality provision in DISH's mandatory arbitration agreement that threatens worker rights. "This very broad confidentiality restriction—which has no explicit or even implicit exceptions—would interfere with an employee's Section 7 right of access to the Board if she learned through an arbitration



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proceeding that her employer had engaged in conduct that might constitute an unfair labor practice and sought to act on that knowledge,” wrote Chairman *Lauren McFerran*.

Since the NLRB DISH decision was issued the Board has flipped to a Democratic majority with the Senate confirming President *Biden*'s appointments of veteran union lawyers *Gwynne Wilcox* and *David Prouty* to the Board. **Seyfarth Shaw** attorneys *Jeffrey Berman* and *Jennifer Mora* noted in a [blog post](#) when the decision was issued that McFerran's dissent was likely to become NLRB law once Biden appointed new members and recommended employers review their arbitration agreements to ensure they can't be read to prevent employees from filing charges with the Board or discussing any settlement they might have with an employer over an employment-related dispute.

Of course, there's no guarantee the two will reach a settlement. These types of disputes often take years to hammer out. Take the five-year strike of **IBEW Local 3** workers against **Charter**. The [noisy battle](#), which included union ads against the cable operator and Charter suing over alleged deliberate fiber cuts, reached an unceremonious end in late April when the NLRB said it had been advised that the parties had reached a settlement and that the union disclaimed interest in representing the bargaining unit.

EPB UNVEILS COMMUNITY-WIDE 25 GIG SERVICE

EPB Chattanooga launched symmetrical 25 Gig service to all residential and commercial customers Wednesday. The Chattanooga-Hamilton County Convention Center is the provider's first 25 Gig customer with Hamilton County and the City of Chattanooga donating \$151,000 to cover the cost of networking equipment, WiFi access point and a significant portion of the

cost of multi-gig connectivity for the next five years. “This is just a natural evolution. We are constantly reinvesting in our network to future-proof Chattanooga,” EPB VP, New Products *Katie Espeseth* told **CFX**. “Whether you are working here in a company or you're living in Chattanooga and working remotely, we feel like this infrastructure is critical for our residents to be successful, but more importantly our community.” The enhanced speeds will come at a cost. EPB is offering 25 Gig symmetrical service to residential customers at \$1,500/month and to businesses at a starting rate of \$12,500/month. There are additional discounts that could be available to those business customers based on volume and other factors. Anyone that lives within EPB's footprint can access the 25 Gig service plan, and while there may be more residential uses for this in the future, obvious first clients would be universities and large companies that have multiple users engaging in file sharing and collaborative work. Current residential- and commercial-grade routers are not set up for 25 Gig service today, so EPB is encouraging customers to call if they're interested in service. “We have technical resources within EPB who can certainly talk to our residential customers as well as our commercial customers about what we have found will work and some recommendations or thoughts about what they would want to use really in their own businesses to get the most out of that 25 Gig service,” Espeseth said. She hopes that other municipal providers will also push their networks into the future as an investment in their communities and to set themselves up for long-term technological success. “There will be things developed in the future that we're trying to keep up with and I would advise any community to try to keep your eye on the future and build

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toward it, and not think about what people are doing today,” she said. “I don’t think we have scratched the surface of what people can do or what they’re going to be doing.”

FANDUEL TV COMING NEXT MONTH

TVG, the network dedicated to horse and greyhound racing, is shifting to a new look in September. Its owners **FanDuel Group** unveiled plans to convert the network to **FanDuel TV** next month, making it the first linear/digital network dedicated to sports betting content. It’s also debuting an OTT platform **FanDuel+**, which will free to download for existing FanDuel customers who have accounts on any of its platforms. While the news is a sign of the continuing growth of the gambling industry in media, FanDuel is positioning itself to enter the live sports programming ring as well. FanDuel TV and FanDuel+ will air over 3,000 hours of live sports thanks to a licensing agreement with **Sportradar**. The platform will carry international basketball from Australia, China, France and Germany’s professional leagues. As for the racing programming that’s synonymous with TVG, FanDuel TV will continue providing coverage from tracks across the country. “FanDuel TV and FanDuel+ will accelerate the renaissance racing is enjoying and repackage the sport for a new generation of mobile enabled fans, while also bringing new leagues and sports to the U.S. market,” FanDuel Chief Commercial Officer *Mike Raffensperger* said in a release. “We plan to offer more live sports than any network in America.” FanDuel TV will inherit distribution agreements with **Comcast, Spectrum, Verizon Fios, DirecTV, DISH, Cox, fuboTV, YouTube TV** and **Hulu**, and FanDuel+ will be available on OTT platforms like **Apple TV, Amazon Fire** and **Roku**. The network already has multiple programs lined up as former “Good Morning Football” and **NFL Network** anchor *Kay Adams* will host a daily morning show starting at 11am on weekdays that’ll feature guests involved in sports or entertainment. *Pat McAfee*’s PMI Network will produce content for the network’s weekly programming block, and FanDuel also reached an agreement with *The Ringer* for the outlet to provide content from its podcasts and digital networks. Details on those will be revealed soon.

STUBBS SCORES 2022 WIT AWARD

Toni Stubbs, **Cox**’s VP, Technology, Engineering and Operations, is the winner of the 2022 Women in Technology Award. Presented jointly by **The WICT Network, SCTE** and **Cablefax**, the honor recognizes the accomplishments of one woman who achieves personally while also significantly contributing to the advancement of technology across cable and media. 2021 honoree *Patricia Martin*, Cox SVP of the Integration Management Office, will present the award to Stubbs during SCTE’s Cable-Tec Expo Awards Ceremony on Sept. 21. Stubbs will also be featured in an upcoming issue of *Cablefax Daily*.

ANTIETAM LAUNCHES INNOVATION FUND

Antietam Broadband and parent company **Schurz Communications** are creating a fund to invest in local entrepreneurs’ startups in Washington County, Maryland. Called the Antietam Broadband Innovation Fund, the initiative will provide \$250,000 per year for four years. A committee will review applications and make investments based on viability, potential, growth and return characteristics such

as job creation. Special consideration will be given to women, POC and people with disabilities, and the committee will release an annual report on all firms that receive investments.

RATINGS

Hallmark Channel’s premiere of “Dating the Delaneys” was the most-watched entertainment cable program of the week in households, women 18+ and total viewers. The movie averaged 2 million total viewers and 210,000 W25-54, while also reaching 2.6 million unduplicated total viewers. **Hallmark Movies & Mysteries**’ premiere of “Groundswell” averaged 1.1 million total viewers, with 83,000 in the W25-54 demo.

FIBER FRENZY

Comcast is embarking on a \$9 million project to expand its fiber network to over 3,400 homes and businesses in Spring Hill, Kansas. The provider will offer 1 Gbps for residents and up to 100 Gbps for businesses. The project will span two years and adds to the \$12.6 million Comcast has already invested in technology and infrastructure in Kansas. – **TDS** revealed plans to expand its fiber network to more communities in the Boise and Twin Falls, Idaho, area. The build in Caldwell will serve approximately 12,000 addresses while construction in Hansen, Heyburn and Kimberly will bring broadband to an additional 3,000 more. Once completed, the projects will bring 2 Gig residential internet and 10 Gig business fiber connections to those communities.

KICK IT WITH GUARDADO

From now through Sept. 12, **Charter** is giving fans a chance to appear in a commercial with the captain of the Mexican Men’s National Soccer Team, *Andrés Guardado*. Fans can submit a video of them performing their best freestyle trickshot to spectrum@adcastells.com, where a panel of judges will then choose the best entry to appear in a TV ad with Guardado highlighting Spectrum Mobile. The ad will air during the 2022 FIFA World Cup that begins Nov. 20.

PROGRAMMING

The 25th season of **ID**’s “On the Case With Paula Zahn” will premiere Sept. 4 at 10pm, available to stream on **discovery+** the same day. – **Nickelodeon** greenlit “Danger Force” for a third season. Season 2—which is the top live-action program on cable among kids 6-11—finished in July, with episodes available on **Paramount+**. – A new, four-part limited series is coming to **BET+**. “The Black Hamptons,” a program about a town dealing with a feud between old and new money, premieres today. Additionally, Season 4 of “The Family Business” will debut Sept. 1.

PEOPLE

Former **Com Net** CEO and **ACA Connects** COO *Rob Shema* is joining **altafiber** as Director, Government Affairs & Business Development. Shema’s responsibilities include finding new opportunities for altafiber to extend its fiber footprint beyond the Greater Cincinnati area. He’ll begin in September. – **Cisco** added *Sarah Rae Murphy* to its board. She’s spent 16 years at **United Airlines**, most recently as Chief Procurement Officer/SVP, Global Sourcing, and previously served as an analyst at **Merrill Lynch** in its investment banking division.

PROGRAMMER'S PAGE

There and Back to Middle-Earth Again

We're not in The Shire anymore. **Amazon Prime Video's** "The Lord of the Rings: The Rings of Power" (premiering September 2) is a Tolkien adventure centered thousands of years before Frodo set off to Mordor. But the Second Age of Middle-Earth's history, detailed in the appendices of "The Lord of The Rings" book trilogy, has all the action and relationships that made the original films a sensation. For the actors, diving into their characters and focusing on their motivations helped stave off anxieties about entering such a beloved universe. "We're all actors and we're all artists, and when you are approaching the work, you are concerned with things that are essential: honesty, truth, what drives your character, what is of the essence of each role," *Ismael Cruz Cordova*, who plays Arondir, said during a **TCA Summer Tour** panel. "So you can't really concern yourself with the largeness of it all." Viewers may assume its sprawling cityscapes and action-packed sequences were all created on soundstages stuffed to the brim with green screens. Reality is far different as the crew relied on practical effects much more than it did CGI. "We all got to have that experience of turning around and really being in these worlds," *Cynthia Addai-Robinson*, playing Queen Regent Miriel, said. "I predominantly work within Númenor, and Númenor is like a fully-built, fully-functioning city with a dock and boats and other elements." With the premiere of "Game of Thrones" prequel "House of the Dragon" striking just two weeks before the debut of the latest Middle-Earth adventure, it's challenging not to compare the two or think about the impact **HBO's** high fantasy had in driving interest in fantasy series. But that's something Rings of Power's creative team has tried to avoid. "We really just think about this man's life's work was creating this world. This is Tolkien's Middle-Earth and regions beyond Middle-Earth, and the more we worked on this, the more we just wanted to be true to that and drown out and forget about what might be happening in another realm somewhere else," Showrunner/EP *Patrick McKay* said. — *Sara Winegardner*

REVIEWS

"Five Days at Memorial," streaming, **Apple TV+**. Readers know a recurring theme of this column is "television as a welcome, yet brief, escape from the quotidian." Today's review recommends highly a series that's anything but a respite. Indeed, it recounts one of America's lowest moments, Hurricane Katrina. And it's running on Apple TV+ during an uncertain point for America, as COVID lingers, as do social, political and economic issues. So, now may not seem time for a series highlighting not only the sort of climate-change-induced disaster that seems inevitable again, but also government's and society's inept/nonexistent crisis planning? However, should you agree with Shakespeare that "what's past is prologue," then viewers will lean in for this fine adaptation of *Sheri Fink's* non-fiction book about medical staff and patients trapped at New Orleans Medical Center. Desperate for an evacuation in Katrina's aftermath—the hospital's power is down—doctors determine some patients won't survive. As such, Dr. Anna Pou (a steady *Vera Farmiga*) faces the kind of awful choice medical staff must have faced during COVID's initial year, maybe longer. As supplies dwindled and human resources were overloaded, which patients should die? And should we assist their inevitable demise? Credit Apple and showrunners *John Ridley* and *Carlton Cuse* for this sober story about the frailty of existence and importance of preparation. — *Seth Arenstein*

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P2+ PRIME RANKINGS*		
(08/15/22-08/22/22)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	0.742	2310
MSNBC	0.437	1360
ESPN	0.297	924
HALL	0.279	869
HGTV	0.278	866
CNN	0.238	740
TLC	0.230	716
INSP	0.229	712
NFL	0.207	644
TBSC	0.204	634
DISC	0.201	626
FOOD	0.185	577
USA	0.174	543
HIST	0.170	531
TVLAND	0.170	530
ID	0.161	503
HMM	0.154	478
A&E	0.153	475
TNT	0.151	469
BRAVO	0.136	423
WETV	0.125	390
AMC	0.123	384
REELZ	0.119	372
FX	0.114	356
GSN	0.110	342
LIFE	0.109	340
BET	0.103	321
NAN	0.095	296
APL	0.094	294
TRAVEL	0.093	291
OXY	0.092	286
SYFY	0.085	263
FXX	0.084	261
HBO	0.082	255
PRMNT	0.082	254

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